

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**PETER LUEBKE,
individually, and on behalf of
all other similarly situated,**

Plaintiff,

v.

Case No. 17-CV-969

**WISCONSIN ELECTRIC POWER COMPANY
d/b/a WE ENERGIES,**

Defendant.

**ORDER GRANTING PRELIMINARY APPROVAL OF AMENDED
CLASS AND COLLECTIVE ACTION SETTLEMENT**

Having reviewed the Parties' Joint Motion for Preliminary Approval of the Amended Collective and Class Action Settlement (ECF No. 68) and its supporting documents,

IT IS HEREBY ORDERED:

1. The Parties' Amended Settlement Agreement (ECF No. 68-1) is APPROVED as a fair, reasonable, and adequate resolution of disputed claims under the Fair Labor

Standards Act ("FLSA") and applicable wage and hour laws as articulated in the Parties' Agreement;

2. The class definitions of the Fed. R. Civ. P. 23 Classes are MODIFIED to conform with the Class Definitions described in Section IV.B of the Amended Settlement Agreement;
3. The Parties' Notices of Class Action Settlement in the forms of Exhibits E and F to the Amended Settlement Agreement (ECF Nos. 68-3, 68-4) are APPROVED for distribution to the twenty-seven members of the Rule 23 Classes identified by the Parties on Exhibit A and the provision of the Notices of Class Action Settlement, in the form of Exhibits E and F, by mail are APPROVED as valid, due, and sufficient notice to affected Rule 23 Classes' Members;
4. Any of affected Rule 23 Classes' members who wish to exclude him/herself from the Parties' Settlement of Wisconsin State and/or local law claims as defined in the Amended Settlement Agreement SHALL EXCLUDE him/herself per the instructions set forth in the Notices within thirty (30) days of the mailing of the Notices;
5. Any of the affected Rule 23 Classes' members who do not exclude him/herself SHALL BE BOUND by the Court's Order Finally Approving the Amended Settlement Agreement;

6. Any of the affected Rule 23 Classes' members who wish to object in any way to the proposed Amended Settlement Agreement SHALL FILE AND SERVE such written objections per the instructions set forth in the Notices no later than thirty (30) days after the mailing of the Notices, together with copies of all papers in support of his or her position.
7. All other matters addressed in the Court's Order Granting Preliminary Approval of Settlement (ECF No. 66) remain unchanged.

Dated at Milwaukee, Wisconsin this 28th day of December, 2018.


WILLIAM E. DUFFIN
U.S. Magistrate Judge